THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No:15918 of 2007

DATED:26-07-2007

BETWEEN:

Avula Kondaiah.

..... PETITIONER

AND

The Mandal Revenue Officer/Tahsildar,
Chintakomma Dinne Mandal,
Kadapa District.

.....RESPONDENT

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondent.

2. Petitioner seeks a writ of mandamus directing the respondent to issue pattadar pass book to the petitioner to the land situated in Sy.No.715 and 734 an extent of Ac.6.50 cents of Saibabanagar, Yanadi mandal colony, Mavillapalli village, Chintakomma Dinne mandal, Kadapa District in pursuance of the directions of the Government under Proc.15062/CMCO/2005, dated 29-03-2005.

3. It is the case of the petitioner that he has occupied the Government poramboke land in the year, 1970 and has been cultivating the same and in fact, the Government issued 'D' form patta in 1983 and since then he has been cultivating the said land. It is stated that in fact, the said land was mortgaged to the Andhra Bank, Mamillapalle in the year, 1999 and he has applied for pattadar pass book in the year, 2004 but the respondent-Mandal Revenue Officer did not issue the same expecting some bribe and therefore, he has made a complaint to the Honourable Chief Minister and the Honourable Chief Minister directed the respondent to issue pattadar passbook stating that the petitioner is entitled to pattadar pass book, but *in spite* of the direction of the

Honourable Chief Minister the respondent is not issuing the pattadar pass book. Hence, the present Writ Petition.

4. I am not inclined to accept the endorsement said to have been made by the Honourable Chief Minister. The endorsement is without the signature of the Honourable Chief Minister and therefore it appears the same is either created or forged. The so-called endorsement said to have been made by the Honourable Chief Minister is reproduced hereunder:

> *"Panchayat Secretary Somasekhara Reddy, and M.R.O. Prabhakar Reddy. As Mr.Avula Kondaiah not in a position to pay Rs.50,000/- as bribe and as early as possible issue the pass book he is very poor the MRO Kadapa also cancelled the land due to the non payment of bribe to him. He is having the documents for the last 30 years whether you live on your job or on bribes, not concerned issue him the pass book to Avula Kondaiah and send to me and I will pay the amount to him don't feel and issue him pass book at an early date why you have given police complaint against him due to non payment of bribe amount you don't worry. I am here".*

If the application of the petitioner is not considered and disposed of there is a remedy available under the provisions of the Record of Rights and pattadar pass books but he cannot approach this Court to direct the respondent to issue pattadar pass book by implementing the so-called orders of the Honourable Chief Minister.

5. Accordingly, Writ Petition is dismissed. No order as to costs.

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V.ESWARAIAH,J

26th July, 2007.
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